

Rebekah S. Guyon (SBN 291037)
Rebekah.Guyon@gtlaw.com
Lori Chang (SBN 228142)
ChangL@gtlaw.com
David H. Marenberg (SBN 329954)
MarenbergD@gtlaw.com
GREENBERG TRAURIG, LLP
1840 Century Park East, 19th Floor
Los Angeles, CA 90067-2121
Tel: 310-586-7700; Fax: 310-586-7800

Attorneys for Defendants Vision Service Plan, VSP
Ventures, LLC, VSP Ventures Management
Services, LLC, and VSP Ventures Optometric
Solutions, LLC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

BRIAN TASH on behalf of himself and all
others similarly situated,

Plaintiff,

v.

VISION SERVICE PLAN a/k/a VSP
GLOBAL, VSP VENTURES, LLC, VSP
VENTURES MANAGEMENT SERVICES,
LLC, and VSP VENTURES OPTOMETRIC
SOLUTIONS, LLC,

Defendants.

CASE 2:25-CV-00762-DJC-JDP

**SECOND STIPULATED REQUEST TO EXTEND
DEADLINE FOR DEFENDANTS TO RESPOND
TO COMPLAINT AND ORDER**

Date of Service: March 24, 2025
Current Response Date: June 11, 2025
New Response Date: July 11, 2025

Assigned to: Judge Daniel J. Calabretta

Pursuant to Fed. R. Civ. P. 6(b)(1), 42(a), Local Rule 144(a), and section IV of the Court's Standing Order (ECF No. 3-1), Plaintiff Brian Tash and Defendants Vision Service Plan, VSP Ventures, LLC, VSP Ventures Management Services, LLC, and VSP Ventures Optometric Solutions, LLC ("Defendants") (collectively, the "Parties"), by and through their respective counsel, stipulate and request that the Court enter an order extending Defendants' deadline to respond to the Complaint by thirty (30) days to July 11, 2025. In support of this stipulated request, the Parties state as follows:

Plaintiff filed the Complaint on March 6, 2025. ECF No. 1.

Plaintiff served Defendants with a copy of the Complaint on March 24, 2025.

Defendants' current deadline to respond to the Complaint in *Tash* is June 11, 2025.

On June 5, 2025, a separate putative class action lawsuit was filed in this same district against Defendants. *See Peter Hahn v. Vision Service Plan a/k/a VSP Global et al.*, Case No. 2:25-cv-01580-JAM-JDP, ECF No. 1 (E.D. Cal. filed June 5, 2025) ("*Hahn* Complaint"). The *Hahn* Complaint asserts substantially the same claims based on substantially the same allegations as the instant action. *See* Defendants' Notice of Related Case, ECF No. 15.

In light of this new development, and to avoid unnecessary duplicative efforts in the two related cases, counsel for the parties are conferring regarding the possibility of consolidating this action and *Hahn*, which would serve the interests of judicial efficiency and eliminate the potential risk of inconsistent rulings and judgments. As Defendants have not yet filed a responsive pleading in *Tash*, and both *Tash* and *Hahn* are generally at the same stages of litigation where the pleadings in both have not yet been settled, the parties believe and respectively submit that the requested relief will not cause undue delay.

Accordingly, pursuant to Local Rule 144(a) and Federal Rule of Civil Procedure 6(b)(1), the parties agree that good cause exists to extend Defendants' deadline to file a responsive pleading by an additional thirty (30) days so that the parties can explore the consolidation of the two actions. An extension of Defendants' deadline to respond to the Complaint is likely to obviate unnecessary motion practice with respect to the Complaint, which would likely be rendered moot upon the filing of a consolidated amended complaint if the cases are consolidated. Further, the proposed stipulation is not sought to unduly delay the proceedings and will not prejudice any party.

The Court previously granted the parties' stipulated request to extend Defendants' deadline to

1 respond to the Complaint by 58 days. ECF No. 13. No further dates have been set by the Court in this case.

2 For these reasons, the parties jointly stipulate and request that the Court extend the deadline for
3 Defendants to respond to the Complaint by thirty (30) days to July 11, 2025.

4 Dated: June 10, 2025

MILBERG COLEMAN BRYSON PHILLIPS

5 GROSSMAN, PLLC

6
7 By: /s/ Heather Lopez (as authorized on April 3, 2025)

8 John J. Nelson

402 W. Broadway, Suite 1760

San Diego, CA 92101

9 Telephone: 858-209-6941

10 Email: jnelson@milberg.com

11 Heather Lopez

148 Dolphin Ct.

American Canyon, CA 94589

12 Telephone: 707-334-3727

13 Email: hlopez@milberg.com

14 Attorneys for Plaintiff Brian Tash

15
16 Dated: June 10, 2025

GREENBERG TRAURIG, LLP

17
18 By: /s/ Lori Chang

19 Rebekah S. Guyon

Lori Chang

David H. Marenberg

20 1840 Century Park East, 19th Floor

Los Angeles, CA 90067

21 Tel: 310-586-7700; Fax: 310-586-7800

22 Email: Rebekah.Guyon@gtlaw.com

ChangL@gtlaw.com

23 MarenbergD@gtlaw.com

24 Attorneys for Attorneys for Defendants Vision Service Plan,
25 VSP Ventures, LLC, VSP Ventures Management Services,
26 LLC, and VSP Ventures Optometric Solutions, LLC
27
28

ORDER

The Court, having considered the stipulation between Plaintiff Brian Tash and Defendants Vision Service Plan, VSP Ventures, LLC, VSP Ventures Management Services, LLC, and VSP Ventures Optometric Solutions, LLC (“Defendants”), and for good cause shown, HEREBY ORDERS that:

Defendants’ deadline to respond to the Complaint is extended by thirty (30) days to July 11, 2025.

IT IS SO ORDERED.

Dated: June 10, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE